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EXAMINER

OMGBA, ESSAMA

ART UNIT

PAPER NUMBER

3726

DATE MAILED: 09/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/081,506

Applicant(s)

MCLEOD ET AL.

Examiner

Essama Omgba

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4 & 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

DETAILED ACTION

Claim Objections

1. Claims 1-8 are objected to because of the following informalities: in claim 1, line 12, "an" should read --the-- in order to make it clear that "automotive vehicle" refers to the previously recited one. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 9-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 9 recites the limitation "the transparent panel" in lines 11 and 12. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hill et al. (US patent 6,493,920) in view of Miyazaki et al. (US patent 4,883,310) and Hsieh (US patent 5,115,086).

With regards to claims 1 and 5, Hill et al. discloses a method of assembling a roof module 14 to an automotive vehicle, the method comprising providing the roof module 14 wherein the roof module includes a roof portion 60 having at least one edge, a transparent panel 62 having a bottom edge adapted for attachment to a body of the automotive vehicle during assembly of the automotive vehicle, and a top edge that is secured to the roof portion adjacent the at least one edge of the roof portion wherein the transparent panel is a windshield, and assembling the roof module to a body portion of the automotive vehicle, see column 2, lines 43-62. Hill et al. does not disclose the top edge of the windshield being adhesively secured to the roof portion adjacent the forward edge of the roof portion. However it is known to adhesively secure a windshield to an edge of a roof portion as attested by Miyazaki et al., see column 4, lines 45-48.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have adhesively secured the top edge of the windshield to the roof portion in the method of Hill et al., in light of the teachings of Miyazaki et al., as is conventional in the art.

For claim 2, Official Notice is taken in that it is known to provide roof panels with integral foam-in-place headliners.

For claim 3, see column 2, line 18 of Hill et al. and column 4, lines 45-48 of Miyazaki et al.

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For claim 4, see column 2, lines 58-62 of Hill et al.

For claim 6, Official Notice is taken in that it is conventional to provide an automotive windshield with an encapsulation covering such as a sealing gasket.

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hill et al./Miyazaki et al. as applied to claim 1 above, and further in view of Meritor Automotive (February 2000).

Hill et al./Miyazaki et al. discloses a method of assembling a roof module to an automotive vehicle as shown above except for the roof portion including at least one vehicle impact counter measure. However Meritor Automotive teaches head area air bags as integrated components of a roof module, see page titled "Integrated components". Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have provided the roof portion of Hill et al./Miyazaki et al. with head area air bags, in light of the teachings of Meritor Automotive, for increased protection of the vehicle's occupants.

7. Claims 8-14 and 16-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hill et al. in view of Miyazaki et al. and Hsieh.

With regards to claims 8, 9, 13, 16-18 and 20, Hill et al. discloses a method of assembling a roof module 14 to an automotive vehicle, the method comprising providing the roof module 14 wherein the roof module includes a roof portion 60 having a forward edge, a rearward edge, a pair of side edges and a pair of A-pillars 52 extending adjacent opposing corners of the roof portion, and a windshield 62 having a top edge, a bottom edge and a pair of side edges wherein the top edge of the wind shield is secured

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to the roof portion adjacent the forward edge of the roof portion and the side edges of the windshield are secured to the A-pillars, the bottom edge is configured for attachment to a body portion of the automotive vehicle upon assembly of the roof module to the automotive vehicle, and the A-pillars and the body portion of the vehicle include corresponding mating structures (56, 40) for assisting in assembling the roof module to the body portion of the vehicle, and assembling the roof module to the body portion of the vehicle by matingly fitting the mating structures of the A-pillars and the mating structures of the body portion and by adhesively securing the windshield to the body portion of the vehicle, see column 2, lines 18-27 and 43-67, column 3, lines 1-7 and figure 2. Hill et al. does not disclose the top edge of the windshield being adhesively secured to the roof portion adjacent the forward edge of the roof portion. However it is known to adhesively secure a windshield to an edge of a roof portion as attested by Miyazaki et al., see column 4, lines 45-48. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to have adhesively secured the top edge of the windshield to the roof portion in the method of Hill et al., in light of the teachings of Miyazaki et al., as is conventional in the art. Although Hill et al./Miyazaki et al. does not disclose the adhesive as being a urethane adhesive, however it is known to use a urethane adhesive in bonding a windshield to an auto body as attested by Hsieh, see column 1, lines 13-19. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have used a urethane adhesive in the method of Hill et al./Miyazaki et al., in view of the teachings of Hsieh, in order to impart additional structural integrity to the auto body.

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For claim 10, see column 1, lines 21-25 of Hsieh.

For claim 11, see column 2, line 18 of Hill et al. and column 4, lines 45-48 of Miyazaki et al. Applicant should note that it is known to provide structural foam in roof rail assemblies.

For claim 12, see column 2, lines 58-62 of Hill et al.

For claim 14, Official Notice is taken in that it is conventional to provide an automotive windshield with an encapsulation covering such as a sealing gasket.

For claim 19, see figure 2 of Hill et al. Applicant should note that the provision of additional pillars would depend on the type of vehicle body being assembled and such provision is well within the general knowledge of one of ordinary skill in the art.

For claim 21, Official Notice is taken in that it is known to assemble a roof module in one area and assemble it to a body portion of an automotive vehicle in another area.

8. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hill et al./Miyazaki et al./Hsieh as applied to claim 9 above, and further in view of Meritor Automotive (February 2000).

Hill et al./Miyazaki et al./Hsieh discloses a method of assembling a roof module to an automotive vehicle as shown above except for the roof portion including at least one vehicle impact counter measure. However Meritor Automotive teaches head area air bags as integrated components of a roof module, see page titled "Integrated components". Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have provided the roof portion of Hill et al./Miyazaki

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et al./Hsieh with head area air bags, in light of the teachings of Meritor Automotive, for increased protection of the vehicle's occupants.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Essama Omgba whose telephone number is (703) 305-2915. The examiner can normally be reached on M-F (10-7:30) First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Vidovich can be reached on (703) 308-1513. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

eo 
September 3, 2003

